

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELAINE M. DECOULOS,
Plaintiff,

v.

Civil Action
No. 13-11410-DPW

BRUNO L. SCHRODER, ET AL.,
Defendants.

MEMORANDUM AND ORDER FOR DISMISSAL
December 4, 2013

WOODLOCK, D.J.

On June 6, 2013, plaintiff Elaine M. Decoulos ("Decoulos") filed this civil action alleging, *inter alia*, defamation and e-mail hacking by the defendants. On August 30, 2013, I issued a Memorandum and Order (Docket no. 5) dismissing all claims except for the defamation and e-mail hacking claims, and I directed her to file an Amended Complaint in accordance with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure.

On October 4, 2013, Decoulos contacted the clerk to advise that she was in England and had sent in a Motion to Extend the Time to file the Amended Complaint. On October 25, 2013, the Court received Decoulos's redacted Complaint (Docket No. 8) and a Motion For an Extension of Time to File an Amended Complaint (Docket No. 7).

On October 30, 2013, I issued an Order (Docket No. 9) granting Decoulos's Motion for an Extension of Time to File an Amended Complaint, and directed her to file an Amended Complaint

by no later than November 25, 2013. At that time, I noted in the Order that I would not permit any further extensions of time. I warned Decoulos that if she failed to file her Amended Complaint by that date, I would consider that she did not have a *bona fide* intent to prosecute this litigation in light of her election to pursue other litigation in Europe.

On November 25, 2013, Decoulos called the Clerk's Office and left a message that she was in England and was sending in another motion to extend the deadline for filing an Amended Complaint. Such a document has not yet been received.

At this juncture, I can find no good cause to permit Decoulos any further extensions. This action has been pending more than five months, and Decoulos has yet to file her Amended Complaint. Moreover, she has not filed a Motion to Further Extend Time before the November 25, 2013 deadline.¹

In light of the warning given to her regarding this Court's deadline of November 25, 2013, and the failure of Decoulos to comply with the directive to file an Amended Complaint, I find

¹I note that Decoulos has established a pattern of delay and non-compliance. In Decoulos's prior lawsuit against the same defendants filed on May 27, 2011, she filed three motions for an extension of time to serve summonses as well as numerous motions to extend time for filing oppositions to the defendants' motions to dismiss. See *Decoulos v. Schroder, et al.*, Civil Action No. 11-10972-DPW. In my Memorandum and Order (Docket No. 100), I noted that I had afforded her an extended period of time in order to put her best case forward, and, although Decoulos had requested a further extension of time, she still had not provided the promised submissions.

and conclude that she does not have a good faith intent to pursue this action in this Court in a timely and diligent fashion.

Accordingly, it is hereby Ordered that this action is DISMISSED in its entirety, with prejudice, for the reasons set forth in the Memorandum and Order (Docket No. 5), for the failure to comply with the directives contained in the Order (Docket No. 9), and for the failure to prosecute this action in good faith.

SO ORDERED.

/s/ Douglas P. Woodlock
DOUGLAS P. WOODLOCK
UNITED STATES DISTRICT JUDGE